Library of Congress

INFORMATION BULLETIN

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The Library's Fiscal 1996 Budget Request

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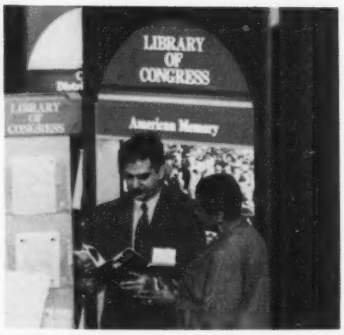
JAMES H. BILLINGTON
Librarian of Congress



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On the Cover: The Capitol dome as seen from a window in the Northwest Pavilion of the Jefferson Building. *Photo by Michael Dersin*

Cover Story: A House panel applauds a collaborative effort to create a National Digital Library as Dr. Billington makes a $378.5 million budget request for fiscal 1996. Also, the full text of the Librarian's budget request, followed by that of Daniel Mulhollan, director of the Congressional Research Service, and Marybeth Peters, Register of Copyrights 91

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THOMAS Logs a Quick 1 Million Queries

THOMAS, the congressional online news service of the Library of Congress, reached its 1 millionth transaction on Feb. 12, just 38 days after the system was inaugurated on Jan. 5.

"The Library is pleased that this initiative of the 104th Congress has been so well received by the public, who now have greater access to the work of their elected officials," said James H. Billington, the Librarian of Congress.

Announcement of the milestone was made jointly by Speaker of the House Newt Gingrich (R-Ga.), Rep. William Thomas (R-Calif.), Rep. Vernon Ehlers (R-Mich.) and Dr. Billington. The event was held in the Speaker's office on Feb. 14.

Currently, THOMAS offers on the Internet the full text of the bills of the 103rd Congress and full text of bills of the 104th Congress, as they become available. The *Congressional Record* became available Feb. 23. The service also offers links to the House and Senate Gophers (information services) and the C-SPAN Gopher, as well as the electronic-mail addresses of those members of Congress who have them.

THOMAS can be accessed on the Internet via the World Wide Web at **http://thomas.loc.gov**. It can also be accessed by telnetting to **thomas.loc.gov**.

Dr. Billington (left), Rep. Vernon Ehlers (R-Mich.), Speaker of the House Newt Gingrich (R-Ga.), Clerk of the House Robin Carle and Rep. William Thomas (R-Calif.), chairman of the House Oversight Committee, view some of THOMAS's features in the Speaker's office on Feb. 14; Speaker Gingrich (left), Rep. Thomas and Rep. Ehlers listen as Dr. Billington explains why THOMAS is an important access tool for information about Congress. *Photos by Yusef El-Amin*

High Technology:

Library's Booth at ALA Conference Displays New Initiatives

The Library's booth was visited by a steady flow of librarians and other professionals who wanted the latest information about new technologies they could use back home. *Photo by Oscar & Associates Inc./Photography*

The City of Brotherly Love showed its harsher side when it welcomed attendees to the American Library Association's Midwinter Meeting.

A wind chill that brought temperatures to 16 degrees below zero and a snowfall of about 10 inches greeted those who arrived on Feb. 3, the day before the exhibit hall opened.

Traffic on Saturday, Feb. 4, in the Pennsylvania Convention Center seemed fairly light, but by the next day, business was brisk. In fact, the convention bested its attendance at the previous midwinter meeting, in Los Angeles, 12,612 attendees to 11,121.

Many of those 12,000 visited the Library of Congress exhibit booth, which featured the latest high-tech initiatives from the nation's library. The newest of the Library's offerings, THOMAS, proved to be quite popular. "This is something I'm glad to see my tax dollars spent on," said a woman who saw a demonstration of the online service that provides the latest information on the U.S. Congress.

THOMAS is one of many menu choices on the Library's World Wide Web (WWW) homepage (Uniform Resource Locator **http://www.loc.gov**). To access THOMAS directly, the URL is **http://thomas.loc.gov.** The system can also be accessed by telnetting to **thomas.loc.gov.**

Also new to the Library's WWW

Cutting the ribbon to open the ALA Midwinter Meeting in Philadelphia were (from left): Executive Board members Mary Somerville and Nancy Kranich; Executive Director Elizabeth Martinez; ALA President-elect Betty Turock; Executive Board member Charles Beard; ALA Treasurer Ann Symons; Executive Board members Betty Blackman and Nancy Bolt; and ALA President Arthur Curley. *Photo courtesy the American Library Association*

server is the on-line version of the exhibitions "The Gettysburg Address: Words That Shaped America" and "In the Beginning Was the Word: The Russian Church and Native Alaskan Cultures." Although both exhibitions have closed at the Library, they will remain "on view" via the Internet.

Also being demonstrated on the Internet was LOCIS (Library of Congress Information System). LOCIS offers, in addition to the Library's on-line catalog of books, microforms, serials, music, visual materials, manuscripts, etc., status of federal legislation, copyright files and information about products of the National Library Service for the Blind and Physically Handicapped.

The address to telnet directly to LOCIS is **locis.loc.gov.**

LC MARVEL (Machine-Assisted Realization of the Virtual Electronic Library), the Library's Campus-Wide Information System, was also on view. MARVEL combines the vast amounts of information available about the Library with easy access to diverse electronic resources over the Internet.

LC MARVEL uses the Gopher software from the University of Minnesota. To access LC MARVEL directly, telnet to **marvel.loc. gov** and login as **marvel.** Connection is also possible through a local Gopher client or another Gopher server by pointing to **marvel.loc. gov, port 70.** It is also possible to connnect to LOCIS from MARVEL and from the Library's WWW homepage.

Visitors to the booth also were able to take a look at American Memory, a project that offers digitized versions of the Library's collections on disk and on the Internet, including prints and photographs, manuscripts and motion pictures. American Memory, a five-year pilot, was the Library's initial project to digitize some of its collections.

The Center for the Book had representatives on hand to answer questions about its reading promotion programs, especially the newest, "Shape Your Future–READ!"

Staff of the Cataloging Distribution Service demonstrated several of its newest products. For example, Cataloger's Desktop provides fingertip access electronically to the Library of Congress's nine most popular cataloging tools on one CD-ROM disk. Cataloger's Desktop, a Windows-based CD-ROM product, is a revolutionary new cataloging tool created by the Library of Congress using Folio software.

On Feb. 5, the President's Program was held in the ballroom of the Marriott Hotel, adjacent to the Convention Center. ALA President Arthur Curley spoke about ALA's Goal 2000, which, according to its subtitle, is a "five-year plan to position the association for the Information Age." The plan, approved by the ALA Executive Board, calls for expansion of the association's Washington Office.

The plan is based on a report submitted by ALA Executive Director Elizabeth Martinez. "We are unanimous in our enthusiasm for the bold vision you have presented," said Mr. Curley. Implementation of the policy calls for a modest dues increase–the first in 10 years–and would be used solely to beef up the resources of the Washington Office and establish an Office for Information Technology Policy.

The goal, according to Ms. Martinez, is to redirect ALA's resources toward a "21st century purpose"–defining librarians for the public as the "gatekeepers" in an information society.

Patricia Glass Schuman, ALA past president, continued the theme by stressing that "we need to help position libraries for the 21st century. Libraries, as we know, are taking a backseat to other budget priorities. . . . America needs libraries and librarians now more than ever."

As the audience responded in thunderous applause, a "special library advocate" took the stage, founder of the nation's first subscription library, in Philadelphia. "Ben Franklin" lamented the fact that "support of libraries has diminished to a horrible degree. He offered rules by which "a great nation can become greater," among them:

☐ Generously provide funding for libraries.

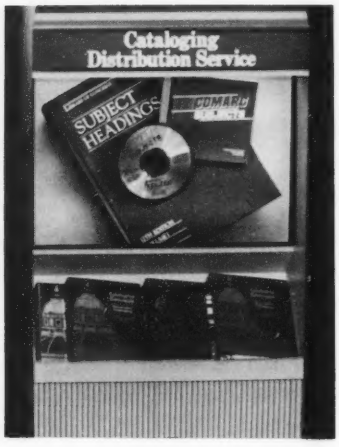
☐ Maintain the "public storehouse of knowledge" in public hands.

☐ Do not let the Information Superhighway become a "toll road" and

☐ Do not "neglect to cultivate" knowledge and wisdom.

Pulitzer Prize-winning author David McCullough (*Truman*, 1993), who was the keynote speaker, immediately won over the crowd when he proclaimed, "I have only been able to have the career I have had because of books and libraries.

"I am doing everything I can to awaken leaders in politics and business of the great need to support our libraries," he continued. He said America's system of free public libraries is of "inestimable value," because "libraries are dedicated to the advancement of learning."



The Cataloging Distribution Service's manuals were well-thumbed by the end of the conference. ***Photo by Oscar & Associates***

Pulitzer Prize-winning author David McCullough makes a point in the keynote speech. ***Photo courtesy the American Library Association.***

Although Mr. McCullough said he would be testifying before Congress in support of the National Endowment for the Humanities, the National Endowment for the Arts and the Corporation for Public Broadcasting, the last, for example, "could be doing a better job," he said. "How can public TV not have a book show?" he asked, while mentioning his efforts to get such a show on the air.

Mr. McCullough compared the proposal to "zero out" the federal contribution to the budget of the Corporation for Public Broadcasting to Congress's "hue and cry" in 1814 over whether to buy the library of Thomas Jefferson to replace the collections of the Library of Congress, which had been burned during the War of 1812. "Many in Congress asked, 'What do we need them for?' " said Mr. McCullough.

Some other comments: "Thomas Jefferson's library is [full of] finery and philosophical nonsense"; and much of it is "in languages many cannot read and most ought not to."

The wiser politicians prevailed, Congress purchased the Library, and it became the seed of the universal collection of more than 107 million items the Library holds today in more than 460 languages.

"To say that public television is for the elite is to perpetuate a lie," he said. According to Mr. McCullough, 67 percent of public TV viewers do not have more than a high school education, "almost the same [percentage] as viewers who watch [commercial] TV."

Getting back to the subject of libraries, Mr. McCullough thanked the librarians for their "belief in the fundamental good, the bedrock purpose of the library systems in this country.

"I am absolutely a library advocate."

—Guy Lamolinara

House Panel Applauds LC Digitization Plan:
Library Seeks 1996 Budget Approval

by Yvonne French

Dr. Billington emphasized the electronic future in almost three hours of testimony before a House appropriations subcommittee Feb. 22 and got an unusually warm reception.

In a short version of his written testimony (full text, below) on the Library's budget request for fiscal 1996, Dr. Billington rarely strayed too far from the subject of the National Digital Library—a pioneering collaborative effort to digitize, by the year 2000, 5 million manuscripts, photographs, films, musical scores and other materials representing the historical core of American creativity in the collections of the Library and other major institutions.

"The collections will be digitized with an emphasis on multimedia. They will be a strong hook to pull those not now reading back into reading. It will be a tremendous educational experience," Dr. Billington said.

He added that if use of the Library's on-line card catalog, which draws 300,000 queries a day, is any indication, the National Digital Library will be a widely used resource.

Lawmakers on the House Appropriations Subcommittee on the Legislative Branch, which held the hearing in the Capitol, voiced strong support for Dr. Billington's initiative.

"The digital plan is going to have remarkable beneficial effects. I applaud your efforts," said Rep. Ron Packard, (R-Calif.), chairman of the subcommittee.

Rep. Vic Fazio (D-Calif.) said the Library's quick cataloging of unprocessed items, or arrearage reduction, was all the more remarkable because of the National Digital Library.

"They went from being totally unknown to being immediately available on the Internet," Rep. Fazio said.

Rep. Charles H. Taylor (R-N.C.) applauded the effort to make Library holdings available to schools and libraries nationwide, while Ray Thornton (D-Ark.) commended Dr. Billington's ability to raise millions of dollars from private sources for the effort.

"You are able to do that because people are confident the core [congressional appropriations] will remain solid," Rep. Thornton said.

The Library's basic budget request for October 1995 through September 1996 is $378.5 million. Supplemental requests to finance the digitizing of Library holdings, $3 million annually for five years, will come at a later date, Dr. Billington said. Speaker of the House Newt Gingrich (R-Ga.) already has expressed strong support for the initiative (see LC *Information Bulletin*, Feb. 20).

The 1996 budget request is 8.6 percent, or $30 million, more than the budget for the current fiscal year.

Some 75 percent of the increase will be spent on mandatory salary and price increases, Dr. Billington said. This amount is $22.6 million, but would drop to $15.6 million if President Clinton's recommendation to limit January 1996 pay increases to a total of 2.4 percent is accepted, Dr. Billington said.

The Capitol and Library domes; the Library has asked Congress to approve its $378 million budget.

The remaining 25 percent of the requested increase, or $7.5 million, would be spent on services to Congress, modernizing operations, providing additional computer storage and software services, and an electronic copyright system, Dr. Billington said.

Testifying with Dr. Billington were Marybeth Peters, Register of Copyrights; Daniel Mulhollan, director of the Congressional Research Service (CRS); and Frank Kurt Cylke, director of the National Library Service for the Blind and Physically Handicapped (see story page 94).

Chairman Packard noted that there is wide support in Congress for the Library. "My Speaker [Newt Gingrich] told me last night everything is on the table except the Library. We in Congress are universally supportive of the Library of Congress."

However, Chairman Packard and other committee members asked questions that showed they mean to eliminate duplication of legislative branch agencies' services.

Rep. Fazio asked, citing a suggestion raised in a joint meeting of the Senate and House subcommittees on the legislative branch Feb. 2 (see LC *Information Bulletin*, Feb. 20) if the Library could absorb the job of distributing government documents, something now done by the Government Printing Office.

Dr. Billington responded he would have to first confer on the matter with the Depositary Library Council. He noted that the Library now "does not [physically] distribute government information," adding that the Library might be in a position to assist with electronic dissemination.

Mr. Mulhollan was asked whether he thought CRS could charge Congress members for its services. "A voucher system would be hard to administer," he replied, noting that many lawmakers and committee staffers ask the same questions, which would force CRS to decide whom to charge.

Ms. Peters anticipated a question during her testimony. Noting that witnesses at the earlier hearing asked why Copyright is located in the legislative branch of government, she responded by saying that the office had been in all three branches of government at various times but moved to the Library 125 years ago from the U.S. Patent Office because copyright is designed for the creative arts while patents are for the industrial arts.

Both Dr. Billington and Ms. Peters said the copyright registration requirement, under which two copies of a work are deposited at the Library, has been essential to making the Library become an unrivaled repository of American creativity and will continue to be important in the digital age.

Dr. Billington describes the private-public effort to shape a National Digital Library by digitizing, in collaboration with other institutions, 5 million core historical American documents by the year 2000.

Asked what he would keep and what he would cut if the Library had to start from a budget of zero, Dr. Billington saw no more room for radical cuts after years of staff reductions. He took the opportunity to stress the digital effort once again. "The Digital Library [will not be] an optional 'add-on.' . . . It's a question of keeping up" with the needs of Congress and the nation, Dr. Billington said.

In testimony on Feb. 23, the American Library Association also voiced support for the Library's digitization efforts. "To realize the potential of digital libraries, collaboration among public and private partners will be essential," said Betty J. Turock, president-elect of the American Library Association (ALA). "It is also very important to recognize the opportunities that digital libraries present in making the unique research collections of our libraries publicly available, namely, the opportunity to add content to the information highway. It is widely recognized that without such content the highway—our future—will not succeed."

Ms. Turock testified on behalf of the ALA, the Association of Research Libraries and the American Association of Law Libraries.

The Senate appropriations subcommittee on the legislative branch also will hear testimony from the Library on its fiscal 1996 request.

Following is the testimony, submitted for the record, by the Librarian (the testimonies of the Director of CRS and the Register of Copyrights follow):

I appreciate the opportunity to appear here to discuss the Library of Congress budget request for fiscal year 1996.

The Library of Congress, the world's largest library, has a special mission: to assemble and preserve a universal collection of knowledge and creativity and to make it available and useful to Congress

Marybeth Peters: "Content is king on the [Information Superhighway] and much of the content consists of copyrighted works."

and the American people.

The Library is a unique part of the legislative branch of the government. It was founded in 1800 at the time of Congress's initial location in Washington. It supports the function of protecting intellectual property and it preserves for the nation the record both of that creativity and of human knowledge generally, thereby enabling the U.S. government as a whole to fulfill its obligation under the Constitution to "promote the progress of sciences and useful arts."

We believe that the Library of Congress is also improving its operations. It is delivering far more service now than in 1980 with 11.6 percent fewer full-time equivalent (FTE) positions. It is firmly on track with a strategic plan that will, by the end of this decade, both modernize the Library's core operations and enable it to play a leadership role in the rapidly emerging electronic information age.

The Library of Congress budget request for fiscal year 1996 totals $378.5 million (including $25.4 million in authority to use receipts), an increase of $30.1 million, or 8.6 percent, over fiscal 1995. Seventy-five percent, or $22.6 million, of the total increase is required to fund mandatory pay raises and unavoidable price-level increases. (This amount will drop to $15.6 million if the president's recommendation to limit January 1996 pay increases to a total of 2.4 percent is accepted.) The remaining quarter, or $7.5 million, is requested to fund elements essential to the Library's seven-year, two-phase strategic plan (1993–2000), which was presented to Congress at the end of 1992. The plan gives priority to congressional services and calls for modernizing existing operations while planning, testing and then launching the "electronic Library" to serve Congress and the nation in the 21st century.

A brief review of the Library's past and present and its vision for the future is essential for understanding the Library's appropriations.

Early History

The Library of Congress is a living monument to the remarkable wisdom of the Founding Fathers, who saw access to an ever-expanding body of knowledge as essential to a dynamic democracy. Its three buildings are named for Thomas Jefferson, John Adams and James Madison. With their support, Congress established the Library in 1800 as it prepared to move to the new capital city of Washington and created the Joint Committee on the Library as the first Joint Committee of Congress in 1802.

Jefferson, in particular, took a keen interest in the new institution. After the British burned the Capitol and the Library during the War of 1812, Congress accepted Jefferson's offer to "recommence" the Library with his own 6,487-volume collection (then the finest in America) at a price of $23,940. It contained volumes on everything from architecture to geography and the sciences. Anticipating the argument that his collection might seem too comprehensive for Congress, Jefferson said that there was "no subject to which a Member of Congress might not have occasion to refer."

Jefferson's ideals of a "universal" collection and of sharing knowledge as widely as possible still guide the Library.

Daniel Mulhollan: "Congress's need for analysis and information from a nonpartisan shared staff [is] critical to your lawmaking . . ."

With congressional blessing, it has grown to serve Congress and the nation, largely as a result of four milestone laws: (1) the copyright law of 1870, which stipulated that two copies of every book, pamphlet, map, print, photograph and piece of music registered for copyright in the United States be deposited in the Library; (2) the 1886 authorization of a separate Library building that contained public reading rooms and exhibition space; (3) a 1902 law which authorized the Library to sell its cataloging records inexpensively to the nation's libraries; and (4) a law in 1931 that established a program that creates and supplies free library materials to blind and physically handicapped readers throughout the country. Congress thereby established the basis both for the continued growth of the collections and for the extension of the Library's services to citizens everywhere.

As the Library evolved into a national institution, Congress decided to create a separate entity in 1914: the Legislative Reference Service (LRS), which was authorized to provide specialized services to "Congress and committees and members thereof." In 1946 Congress

granted LRS permanent status as a separate department of the Library and directed it to employ specialists to cover several broad subject areas. Finally, in the Legislative Reorganization Act of 1970, Congress renamed the LRS the Congressional Research Service (CRS) and enhanced its analytical research capabilities by adding additional staff and placing more emphasis on research support to the committees of Congress.

More recently, laws creating the American Folklife Center (1976), the American Television and Radio Archives (1976), the national Center for the Book (1977) and the National Film Preservation Board (1988) have further extended the Library of Congress's national role.

The Library of Congress Today

At the core of the Library are its incomparable collections and the specialists who help interpret and share them. The Library's holdings are found on more than 530 miles of shelf space. The 107 million items include research materials in more than 450 languages and most media. There are more than 22 million volumes, including 5,700 volumes printed before the year 1500; 15 million prints, photographs and posters; 4 million maps, old and new; 700,000 reels of film, including the earliest movies and television shows; 4 million pieces of music; 45 million pages of personal papers and manuscripts, including those of Presidents Washington through Coolidge; and hundreds of thousands of scientific and government documents.

New treasures are added each year. Recent acquisitions, to name a few, include the early 19th century John Rubens Smith drawings documenting America in the age of Jackson; the extensive papers of composers Irving Berlin and Leonard Bernstein; and the papers of management guru Edward Deming.

Every day the Library's staff takes in 7,000 new items for its collections, organizes them, catalogs them and finds ways to share them with Congress and the nation through on-line access across the nation, through in-person access in the Library's 22 reading rooms and through cultural programs that feature the Library's collections and reach across the country.

The Library's richly diverse services to Congress and the nation are funded by the four salaries and expenses appropriations listed below:

Congressional Research Service

This appropriation funds the exclusive and impartial analytical research and information provided to the members and committees of Congress on public policy issues. Congress receives nearly 600,000 products and research responses a year, including customized responses to about 250,000 requests for research and information.

Visually Impaired Attend Hearing: *Praise Current, Future Programs*

During testimony Feb. 22 before an appropriations subcommittee on the Library's fiscal 1996 budget request, blind individuals occupied most of the extra chairs in the small hearing room on the House side of the Capitol.

The reason: They were there to show support for the National Library Service for the Blind and Physically Handicapped (NLS).

NLS Director Frank Kurt Cylke explained to the House Appropriations Subcommittee on the Legislative Branch that NLS distributes braille and audio books and magazines free of charge through local libraries.

Funding for the NLS is split three ways, he said: one-third is covered by a congressional appropriation, one-third by the states and one-third by the U.S. Postal Service, which distributes the audio and braille books as well as sound recordings at no cost to eligible recipients.

During a second day of testimony, James Gashel, director of government affairs for the National Federation of the Blind, laid a stack of binders 2½ feet tall on the long oval table. The binders contained the braille versions of the latest issue of *Fortune* magazine, C.S. Lewis's *The Voyage of the Dawn Treader* and Edwin Newman's *A Civil Tongue*.

"Library services are very, very, very critical to us. If you're blind, you can't buy a [braille] book. They're $65 to $70 and they're too big to store," said Mr. Gashel, laying a hand atop the stack of binders.

Like almost everyone who testified, Mr. Gashel praised the Librarian's collaborative private-public effort to start a National Digital Library.

"Electronic access and digitization are a potential revolution for the blind in obtaining access to literature," said Mr. Gashel.

Already the technology is there for scanners to transfer the printed page to computer text, which can be read in a synthesized voice over the telephone, he said.

"In generations to come, our children and children's children who are blind are going to be reading in digitized text."

Frank Kurt Cylke

Copyright Office

The Library administers the U.S. copyright law and actively promotes international protection for intellectual property created by U.S. citizens processing approximately 600,000 claims for copyright registration and 400,000 requests for information annually. The copyright deposits form the core of the Library's Americana collections.

National Library Service for the Blind And Physically Handicapped

The Library manages a free national reading program for more than 770,000 blind and physically handicapped people circulating at no cost to users more than 21 million items a year: audio books and magazines through 144 regional and subregional libraries and two multistate centers.

Library of Congress

This appropriation funds the infrastructure support for the three major services listed above as well as a wide range of national and congressional services, including:

Cataloging—The Library produces bibliographic records and related products for libraries and bibliographic utilities in all 50 states and territories, cataloging that saves America's libraries in excess of $336 million annually, the money it would cost them if they had to catalog the materials themselves.

Research and Reference—The Library makes available to scholars and other researchers vast information resources, many of which are unique, covering almost all formats, subjects and languages, each year serving more than 750,000 readers in the 20 reading rooms in Washington open to the public and responding to nearly 1.2 million information requests from all over the nation.

On-line Services—The Library provides on-line, free access, via the Internet, to its automated information files, which contain more than 40 million records, to congressional offices, federal agencies, libraries and the public. Effective Jan. 5, the Library made freely available to the outside world the full text of congressional bills and other legislative information through THOMAS, the World Wide Web system supporting Internet access to Congress.

Law Library—The Library's Law Library supplies legal research covering more than 200 foreign jurisdictions to Congress, the judiciary and federal agencies, and reference services to the public serving 130,000 users annually.

Preservation—The Library manages a preservation program that covers the many materials and formats in the Library, including conservation treatment for approximately 300,000 items a year. The Library also ensures that staff are trained and equipped to handle emergencies, conducts research on new preservation technologies (e.g., mass deacidification of paper), develops preservation standards for American libraries and administers the National Film Preservation Board.

In addition, the Library of Congress promotes reading and literacy nationally through the 29 state affiliates of the Library's Center for the Book and in cooperation with 125 national organizations; provides more than 38,000 books on free interlibrary loan annually to every state in the nation and responds to some 45,000 requests for book loans to Congress each year; gives tens of thousands of surplus books and serials each year to needy libraries throughout the nation; shares its unique collections through exhibitions, publications, cable TV programs, conferences and symposia, poetry readings and electronic information dissemination; manages the nation's leading collection of motion pictures, sound recordings, folk music and folklore and promotes the preservation of American creativity throughout the United States; and coordinates and administers a cost-effective procurement program for nearly 1,300 other federal libraries.

An artist's conception of how the British troops used Library books to set fire to the U.S. Capitol in 1814. *From* Harper's New Monthly Magazine, *December 1872*

The Library's Future and the Information Age

In his remarks on Jan. 5, at the activation of THOMAS, the on-line public access system to congressional information, Speaker of the House Newt Gingrich stated that "the Library of Congress is the seminal knowledge dissemination system on the planet. We should

strive for every child in America, in every school in America, no matter how rural, no matter how poor, to have electronic access to the world of knowledge. That is a national asset. We should strive to make it easy for every scholar to interact electronically. That is a national asset."

The Library is steadily planning, testing and putting into place new technology to maintain, improve and expand its services to Congress and to the nation. The National Digital Library initiative, the Electronic Copyright Management System and the Global Legal Information Network are all examples of the Library's moving ahead in a rapidly changing environment.

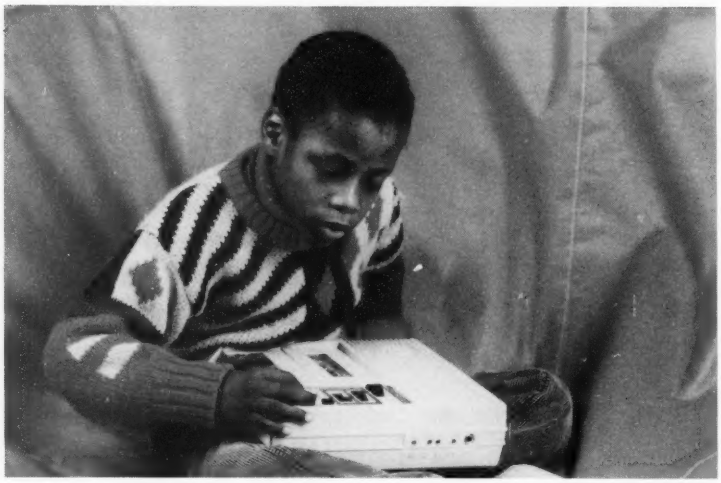
Funding the Library's fiscal 1996 budget request will allow the Library to sustain its traditional services while meeting its new responsibilities in the electronic age. Specifically, the Library is requesting:

☐ $2,505,460 for computer storage and software services. Making the Library's materials available electronically to Congress and the nation and improving internal operations require additional resources for computer storage and software services.

☐ $1,477,890 to move the Electronic Copyright Management System from the research phase to the pilot phase. In development since 1993, electronic copyright registration and centralized recording of licenses and licensing information are critical to the future copyright system of the United States and will comprise one of the fundamental building blocks for protection of intellectual property on the Information Superhighway.

☐ $172,323 to continue and expand the Global Legal Information Network (GLIN) system, which consists of participating nations (usually a national legislature) sharing the full text of their laws as well as indexing and abstracting with the Law Library in return for gaining electronic access to the laws of all the participating nations. GLIN thus performs the dual function of expediting the Library's research services to Congress as well as promoting international communication and understanding in the field of law.

With support from Congress, the Library of Congress is using new technologies to improve its service to Congress and its constituents. In the first month and a half of its existence, THOMAS has logged in more than a million transactions from users on Capitol Hill and across the country.



A library patron uses a tape recorder to listen to one of NLS's many books on tape.

In addition, the Library seeks to create a National Digital Library, a "Library for All Americans," by digitizing a critical mass of 5 million items from its core American history collections by the year 2000, the Library's bicentennial. The National Digital Library is the outgrowth of the successful congressionally supported five-year American Memory project, in which 210,000 items were digitized and proven of educational value in 44 test sites around America.

The National Digital Library initiative has raised $14.5 million of private money and is expected to include unique collections from other institutions, making available to schools, libraries and individuals a core documentary record of American history and culture.

Since the submission of the Library's budget, a private-public partnership for learning has become the key strategy for raising the remaining funds needed to achieve this goal by the year 2000. We plan to forward to the committee a request for an additional $3 million in appropriations each year for the next five years ($15 million), and we are optimistic that the private sector will rise to the challenge and will fund the additional $30.5 million needed to reach the total $60 million target.

The Library is grateful for the leadership and support of Congress as we work to bring critical educational materials into classrooms and libraries in every congressional district in order to secure our children's and our country's future. In addition to providing stimulating and inspirational material that is interactive, this partnership will provide a model for private-public collaboration in introducing high-quality "cargo" of other types onto the rapidly developing Information Superhighway.

Arrearages and Collections Services

The Library reduced its arrearage of unprocessed materials by 2.3 million items during 1994, achieving a cumulative 40 percent decrease since the project began in 1991. Reengineering of work processes, increasing reliance on automation

(Cont. on p. 100)

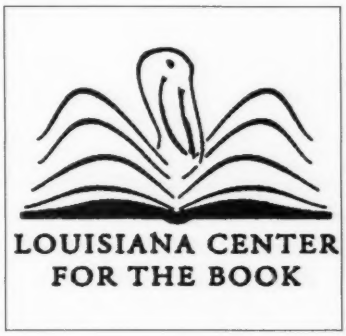
News from the Center for the Book:
State Literary Heritages Celebrated

☐ **Louisiana.** More than 500 people are expected in Baton Rouge on March 17–18 for inaugural events marking the establishment of the Louisiana Center for the Book. Author David McCullough, whose biography of Harry Truman won a Pulitzer Prize in 1993, is the major speaker at a reception and dinner on March 17. An exhibition, "Literary Louisiana," created by the Louisiana State Museum and the State Library of Louisiana, will be on display. On March 18, a panel will discuss the works of selected Louisiana authors, including Kate Chopin, Tennessee Williams, Walker Percy and Ernest Gaines. Film clips and readings of the authors' works will be interspersed throughout the panel discussion.

☐ **Oregon.** Program officer Maurvene D. Williams represented the Center for the Book on Jan. 19 in Salem at "Language of the Land," a program of readings celebrating the publication of the six-volume Oregon Literature Series and presented in conjunction with the Library of Congress traveling exhibition of the same name, which was on view in the Oregon State Capitol Building from Dec. 18, 1994, to Feb. 11, 1995.

Author Kim Stafford, son of William Stafford, LC Consultant in Poetry 1970–1971, was the program moderator, and several of the nine series editors spoke and read passages from their volumes. The Oregon Center for the Book was one of several sponsors of program, the book series and the exhibition – which was made possible by a grant from the Lila Wallace-Reader's Digest Fund to the Center for the Book in the Library of Congress.

George Venn served as general editor of the Oregon Literature Series, which was a project of the Oregon Council of Teachers of English and Oregon State University Press. In 1988 the editors began searching the state for its best writing; more than 500 authors are represented in the resulting six volumes, which span 200 years. Published in December by the OSU Press with financial support from the National Endowment for the Arts, the books cover short fiction, autobiography, prose, poetry, folk literature, letters and diaries. Each is meant to be a teaching aide in schools as well as a valuable resource for writers, historians and the general reader.



For ordering information, contact Oregon State University Press, Waldo Hall 101, Corvallis, OR 97331–6407; phone (503) 737–3166; fax (503) 737–3170.

Oregon's heritage is also depicted in the exhibition "Uncle Sam in the Oregon Country," a joint project of the LC center and the Oregon Center for the Book (see LC *Information Bulletin*, Feb. 20, 1995). Opened in 1990 by Sen. Mark Hatfield (R-Ore.) and Dr. Billington, the 30-panel exhibition currently can be seen in the Oregon State Library.

☐ **Virginia.** Maurvene Williams also represented the Center for the Book on Dec. 3 in Richmond at a gala reception honoring the distinguished writers featured on the Virginia Center for the Book's 20th century Virginia authors map and previewing the "Language of the Land" traveling exhibition, which was on view at the Virginia State Library and Archives from Dec. 4, 1994 to Jan. 28, 1995.

The creation of modern state literary maps is one of the goals of the Center for the Book's "Literary Heritage of the States" project, funded in part by the Lila Wallace-Reader's Digest Fund. Rita Dove, LC's Poet Laureate Consultant in Poetry, is one of the writers featured on the new map. The reception was sponsored by the Library of Virginia Foundation, the Virginia Center for the Book and the Library of Virginia.

For information about the map, contact the Virginia Center for the Book, the Library of Virginia, 11th Street at Capitol Square, Richmond, VA 23219–3491; phone (804) 371–6493; fax (804) 225–4035.

☐ **North Dakota.** The "Language of the Land" traveling exhibition was seen at the North Dakota Heritage Center in Bismarck from Feb. 4 to March 27, 1994. It was sponsored by the North Dakota Center for the Book and the State Historical Society of North Dakota. Using funds from the Lila Wallace-Reader's Digest Fund and additional funding from the North Dakota Humanities Council, the North Dakota Community Foundation and Maxwell's Books, the sponsors presented weekly lectures by North Dakota authors. The speakers were Kathie Ryckman Anderson, Larry Woiwode, David Solheim, Larry Watson, Louise Erdrich, Lois Phillips Hudson, Kathleen Norris and Richard Critchfield. Each lecture was taped for broadcast on both radio and television, and interviews with the authors were aired on Prairie Public Radio and community access television.

A state literary map depicting 10 North Dakota writers and listing more than 100 writers who have either lived in North Dakota or written about the state was compiled and made available. A bibliography of North Dakota authors was also compiled and made available.

For information, write the North Dakota Center for the Book, North Dakota State Library, 604 E. Boulevard, Bismarck, ND 58505–0800.

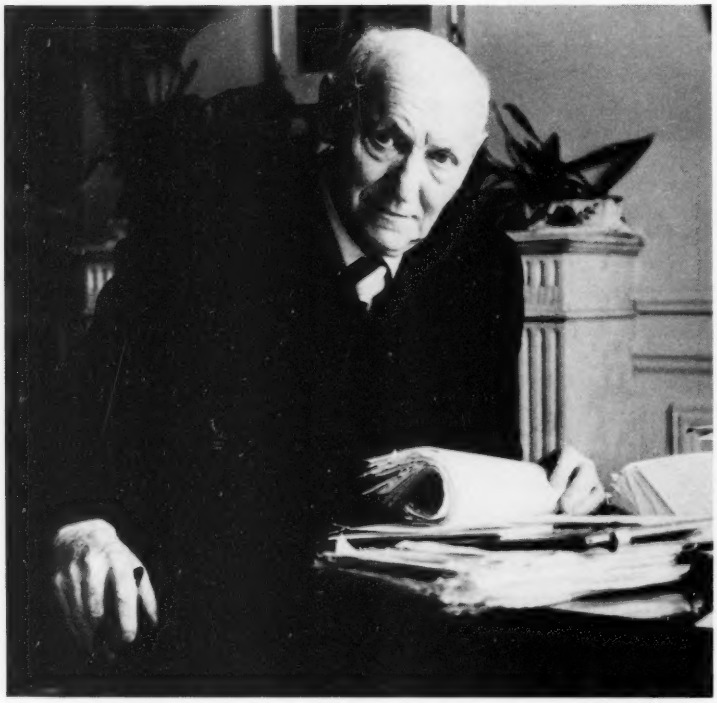
☐ **Florida.** A new literary map of Florida, published by the Florida Center for the Book, has just been released. Featuring a gazetteer of 48 prize-winning authors who have written and resided in the state, it includes recipients of the Nobel Prize, the Pulitzer Prize for Letters, the Newbery Medal and the National Book Award.

"The number of distinguished authors who live or have lived in Florida far exceeded the room we had on our map," said Jean Trebbi, director of the Florida center. "We had to limit it in some way, so we decided to include the winners of the most prestigious literary awards. This information has never been presented in a single format and portrays a remarkable diversity of literary accomplishment."

The three Nobel Prize winners are Ernest Hemingway, Isaac Bashevis Singer and Juan Ramon Jimenez. Ten of the 34 Pulitzer Prize winners on the map have resided in Key West.

The four-color map, bordered with 19 black-and-white photographs of authors, measures 18 by 24 inches and folds like a road map.

The creation of the Florida Literary Map is part of a nationwide project of the Center for the Book in the Library of Congress celebrating the Literary Heritage of the States and was funded in part by the Florida Humanities Council and the Florida State Division of Cultural Affairs, with additional funding from the Lila Wallace-Reader's Digest Fund. A single copy may be obtained by calling (305) 357–7401 or by sending a double-stamped size No. 10 self-addressed envelope to the Florida Center for the Book, Broward County Library, 100 S. Andrews Ave., Fort Lauderdale, FL 33301.



A 1919 photograph of Ernest Hemingway (right), recovering from World War I wounds in Italy in 1919; Issac Bashevis Singer (above), the author of *Passions*, is featured on the Florida Literary Map along with Hemingway and others. *Singer photo by Jerry Bauer; Hemingway photo from the Prints and Photographs Division*

MEETING

CNLIA Semiannual Conference

The Council of National Library and Information Associations held its semiannual meeting December 2 in New York.

Attendees reviewed 52 years of useful activity. The council served as secretariat of the Z39 Committee of the American National Standards Institute, now the National Information Standards Organization, which developed the ISBN standards for book identification.

However, the council's program in recent years has been limited to maintaining a calendar of future library association meetings and surveying conference and convention procedures of its member organizations. It became clear at the meeting that more important activities must be undertaken to justify the group's continued existence.

To that end, Mary Rae Costabile of the American Library Association's Washington Office spoke on "Sources of Funding for Library Associations."

As a lobbyist for the library community, she advocates library funding, and library support programs in such major undertakings as Head Start and the crime prevention programs of the Crime Bill.

Joy Terrell, associate director for government relations of Independent Sector, a nonprofit coalition of 800 corporate, foundation and voluntary organization members that encourages giving and volunteering in all good causes, discussed "Non-Profit Associations and Congressional Lobbying Guidelines."

—*Theodore Wiener*

Theodore Wiener is a senior cataloger in the Regional and Cooperative Cataloging Division. He attended the meeting as a councilor for the Association of Jewish Libraries.

New Chief of NLS Materials Development Appointed

Wells B. Kormann (Brad) was appointed chief of the National Library Service for the Blind and Physically Handicapped (NLS) Materials Development Division. He started work Feb. 6.

Mr. Kormann comes to the Library from the Naval Air Systems Command, where for the past six years he served as program manager, directing centralized teams of engineers, attorneys, logisticians and other functional specialists through the procurement of multimillion-dollar avionics equipment.

His responsibilities at NLS include managing activities related to the selection, development, production, distribution, control and repair of reading materials and related equipment.

"In the coming years, Brad will oversee important decisions about digital engineering technology that will have a profound impact on future talking-book systems," said Frank Kurt Cylke, NLS director.

A 1975 engineering graduate of the United States Military Academy at West Point, N.Y., Mr. Kormann also holds a master of arts degree in human resource management from Pepperdine University and a master of business administration from Duke University. He is a graduate of the Defense Systems Management College, Fort Belvoir, Va.

As an Army officer, Kormann served as headquarters company commander at Fort Drum, N.Y., where he managed and trained 1,000 military personnel as post training officer.

Kormann says one of his most memorable Army experiences occurred in 1977 when his company was one of two selected by the Department of the Army to pioneer the training of women through the eight-week basic combat training cycle. Kormann received the first of his five Army Commendation Medals for his work with the female combat unit.

PUBLICATIONS

Selected Teaching Aids: Astronomy for Schools

The Science and Technology Division recently published a revised enlarged version of a select bibliography on astronomy for secondary students and teachers.

Astronomy for Schools is part of a recently initiated Science and Technology series.

"It is part of our science outreach program initiated to combat the crisis in U.S. science education," said Ron Wilkinson, senior science specialist.

The series features individual sciences such as biology and astronomy. The publications suggest resources with an emphasis on hands-on activities.

The astronomy publication is designed to create a new awareness of the universe. Sources range from instructive visual activities to the construction of telescopes. The history and mythology of astronomy are included as incentives, as are corollary subjects in meteorology.

To order the free publications, write the Science and Technology Division, Library of Congress, Washington, DC 20540-5580.

Testimony *(Cont. from p. 96)*

and on the cataloging of other institutions, as well as the hard work of the staff have made it possible to continue reducing the arrearage even as the number of people working on this project has declined.

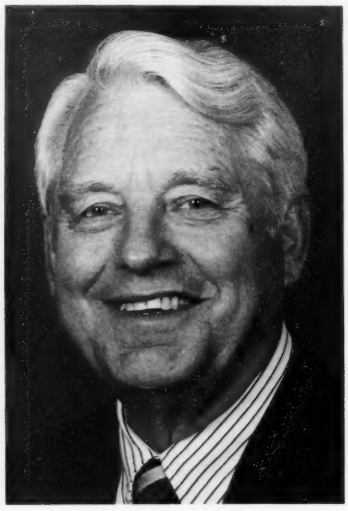
We will continue to streamline our processing procedures, but if we are to achieve our ambitious goal of reducing the arrearage 80 percent by the year 2000, we need funding for 15 vacant arrearage technician positions ($467,744) to work on the unique special collections, where the arrearages are largest and where lower-level technician support will reap the greatest gains in productivity.

Cooperative Cataloging—The Library has led in the development of an international Program for Cooperative Cataloging (PCC), seeking to reduce cataloging costs while maintaining quality through a well-designed division of labor. The PCC is a coalition of libraries working together to increase the availability of unique bibliographic records created under mutually acceptable standards.

Through cooperative cataloging endeavors, the Library and its partners are cataloging more items in a timely and cost-effective manner. Among the innovations of the program is a core bibliographic record that answers the need for cataloging simplification and reduces the time necessary to create useful bibliographic records. Since the PCC has come into being, more than 60 research, public and special libraries have signed on to participate, expanding the cooperative program by 50 percent. Both the British Library and the National Library of Canada are members of the PCC, which aspires to be a global network of libraries.

Copy cataloging, the process of using the original cataloging created by another institution, is steadily increasing. The Library can process items with copy cataloging twice as fast as items requiring original cataloging. The efficiencies resulting from the use of copy cataloging enable the Library to reduce the books arrearage more quickly, to improve subject access and to do more with less.

Foreign Acquisitions—To provide Congress current information relating to foreign countries, the Library must maintain reliable sources for foreign acquisitions. This mandate is relatively easy to fulfill when dealing with developed countries but is a major challenge when dealing with developing nations. Despite our best efforts, materials of research value from the 24 West African countries continue to elude our acquisition nets.



Rep. Ron Packard (R-Calif.), chairman of the House Appropriations Subcommittee on the Legislative Branch: "The digital plan is going to have remarkable beneficial effects. I applaud your efforts."

Unstable economic and political conditions exacerbate the difficulties of acquiring materials, while demand from policymakers and researchers for materials is increasing.

Particularly needed, and especially difficult to acquire, are primary-source materials published by governments and noncommercial entities. We propose solving this acquisition deficiency by establishing, out of existing funds, a small pilot facility in West Africa (Ghana), under the general oversight of the Library's field office in Nairobi, Kenya. We will seek out publications of high research value not obtainable through acquisitions arrangements managed from Washington. The emphasis will be on primary material, including official government publications, statistical data from government and research institute sources and publications reflecting diverse viewpoints on current economic, political and social developments in this politically volatile region. In fiscal 1999, the pilot facility would be evaluated on its success in expanding necessary acquisitions.

Mass Deacidification—While the Library is not asking for additional budget authority for the mass deacidification project, we would like to thank the committee for its continued support of this important effort and its approval last month of the Library's two-year action plan that allocates $1,830,000 to enhance, evaluate and further develop mass deacidification technologies.

Constituent Services

Linked to the Library's arrearage reduction project is the development of a secondary storage site to house processed materials and to provide for growth of the collections through the first part of the 21st century. During fiscal 1994, the Library, the Architect of the Capitol (AOC) and the Department of the Army agreed to a plan transferring up to 100 acres of land at Fort Meade, Md., to the AOC for legislative branch storage requirements. Although the Library's plans included building a nitrate film storage facility at its new offsite campus, the Department of the Army has indicated that such a facility could not be constructed at Fort Meade. As a result, the Library is currently evaluating other alternatives and will advise the committee of its recommendations later this year.

The Library and the AOC are now completing plans for the construction of the first collections storage facility at Fort Meade. An independent consultant, the Compton Company Inc., analyzed two basic building models for housing a collection of 3 million volumes. Based on lifecycle costs and flexibility of use, the Library has recommended to the Architect of the Capitol that the "Eaton/

Kenway" (Automated Storage & Retrieval System) design be built. The lifecycle costs are much less than the alternative, a more conventional high-stack, manual storage and retrieval system.

Beginning in fiscal 1996, materials will be identified, labeled, and linked to an automated collections control system in preparation for the actual transfer in late 1996. The Library's budget request includes $1,054,786 to prepare for transfer and service of the collections moved to the new off-site facility. Based upon information developed after the budget was prepared about the recommended type of storage facility, the Library is reducing its request to $959,786 a decrease of $95,000.

Human Resources

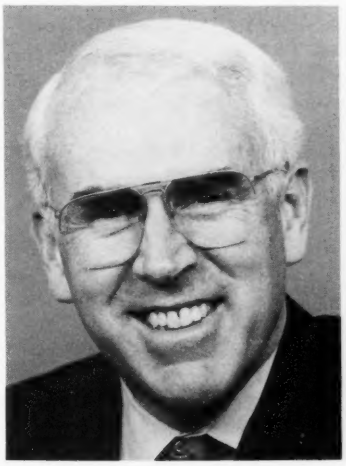
The Library continues to implement its plan to improve human resources management by: (1) using the new merit selection process to fill positions and improve the Library's diversity profile; (2) creating an expanded affirmative action intern program and a program to develop minorities and others for leadership positions; (3) approving a functional reorganization of personnel operations to improve utilization of staff and accountability for service delivery; and (4) implementing a more effective performance appraisal system for supervisors and managers.

A discrimination case that has been pending since 1982 moved closer to final disposition when U.S. District Court Judge Norma Holloway Johnson approved a preliminary settlement agreement in August 1994. A final hearing on this longstanding class action lawsuit is scheduled for later this year.

Collective Bargaining—The Library is also renegotiating the collective bargaining agreement with one of its three labor organizations, AFSCME Local 2910, and anticipates bargaining with the other two later this year. To keep moving forward with human resources improvements, the Library is requesting $65,778 to fund an EEO Officer/Investigator position. The position will facilitate the timely processing of employee complaints, a critical part of the Library's human resources improvement plan.

Financial and Facilities Management

The Library has now implemented a new and modern financial system that complies with General Accounting Office (GAO) and Department of the Treasury accounting and control standards and



Rep. Vic Fazio (D-Calif.), ranking member of the House Appropriations Subcommittee on the Legislative Branch: "[Some Library materials] went from being totally unknown to being immediately available on the Internet."

facilitates the preparation of audited financial statements.

The Federal Financial System (FFS), an off-the-shelf software package developed by American Management Systems, was purchased on Dec. 1, 1993, and was activated on Oct. 1, 1994. The Library is requesting $463,112 to complete the next step, a financial statement audit that will improve accountability to Congress and ensure that the Library's accounting records are in proper order.

Library Building Renovations—The Architect of the Capitol (AOC) has virtually completed its part of the renovation and restoration of the Thomas Jefferson and John Adams buildings and is making the buildings available for the commencement of pre-occupancy work. The Library is executing a three-year occupancy plan and requests $158,520 to fund four police vacancies to allow the opening of the west front entrance of the Jefferson building in fiscal 1996. A major celebration is planned for 1997 that will mark the 100th anniversary of the dedication of the Thomas Jefferson building.

Financial Management Act of 1995

The Library is seeking legislation to make needed improvements in its financial management and administration and to comply fully with the recommendations of a 1991 GAO audit report. The legislation would establish a revolving fund to service Library programs now supported by large gift revolving funds and reimbursable programs, modernize and clarify legislative authority written in 1902 concerning selling cataloging data to libraries across the nation and authorize the Library to retain income, rather than turn over to the Treasury, from the sale of limited surplus materials and restitution for lost, stolen or destroyed materials from the collections.

It would also make technical changes in the operation of the Trust Fund Board and the Copyright Arbitration Royalty Panels administered by the Copyright Office. No new government programs or activities are proposed by the legislation. The Library would submit audited financial statements annually to Congress for the revolving fund authorized by this legislation, and the fund's obligations would be subject to the annual appropriation process.

Copyright Office

The Library of Congress is requesting $1,477,890 to create and implement a Copyright Office Electronic Copyright Management System (ECMS) that responds to the need identified by the Advisory Committee on the National Information Infrastructure and others to develop rights-management systems. ECMS is essential to the future growth of the Information Superhighway because

copyright owners need such a system to protect their intellectual property rights.

The system will allow electronic filing over the Internet of applications, deposits and fees for copyright registration, as well as documents of transfers of ownership, including licensing information. A major feature of the future system will be the storage and retrieval of copyrighted works from secure repositories for electronic dissemination in accordance with terms and conditions established by copyright owners. The Library's objective is an easily accessible central system that will serve the public as well as authors and other copyright owners.

The system is an investment in the continued prosperity and progress of this country and will be a critical component of the copyright system of the 21st century. Of importance to this committee and the taxpayer, through increased use of the system, eventually the Copyright Office will be able to reduce the number of employees required to process materials.

Although the Library is not requesting any additional funding or increase in staff beyond the ECMS at this time, a request for additional authority to use receipts may be forthcoming because of the GATT Uruguay Round Agreements Act, which created many additional and important duties for the Copyright Office.

Essentially, on Jan. 1, 1996, copyright protection will automatically be restored to a vast number of foreign works that previously were in the public domain in the United States. Although this protection is automatic, there are complicated provisions covering Americans who have previously used such works. To enforce rights against such users, notices of intent to enforce a restored copyright must either be filed with the Copyright Office or alternatively served on the user. There is a vast array of duties connected with these notices. The Copyright Office is preparing an estimate of the workload, the scope of the new duties and the likely amount of new receipts, after which we will determine if the Library's budget request needs to be amended. It appears, in the Copyright Office's initial review, that additional authorization to use about $1 million of new receipts may be needed.

Congressional Research Service

As a shared source of nonpartisan analysis and information, CRS is a valuable and cost-effective asset to Congress.

Rep. Ray Thornton (D-Ark.), a member of the House Appropriations Subcommittee on the Legislative Branch: "You are able to [raise money] because people are confident the core will remain solid."

CRS provides every member and committee with support at all stages in the legislative process, from the formulation of ideas through oversight of programs previously created. In expanding the CRS mission in 1970, Congress embraced and implemented the concept of a cost-effective, pooled research effort in support of lawmaking at all stages. Now more than ever, CRS's importance to Congress has increased as Congress downsizes its in-house staff support and seeks efficient ways to acquire the objective analysis and information needed to conduct its legislative business.

Over the past three years, CRS has lost 58 authorized positions, diminishing coverage of some important subject areas. To prevent further erosion of CRS research capabilities, $552,508 is requested to fill 11 vacancies and an increase of $250,000 is requested to obtain the services of consultants when essential.

In addition, the fiscal 1996 request seeks $579,000 to train current staff and provide the most basic research tools, access to databases. Through this prudent replacement of staff and investment in keeping staff current in their fields, CRS will continue to provide Congress with the most efficient and cost-effective way to meet its research and information needs.

National Library Service for the Blind and Physically Handicapped

The Library administers a 63-year-old cooperative effort with state and local agencies and the U.S. Postal Service to provide a free national library program of braille and recorded materials for blind and physically handicapped persons. With the cooperation of authors and publishers who grant permission to use copyrighted works, the Library selects and produces full-length books and magazines in braille and on recorded disk and cassette, as well as special playback equipment required to protect copyright. Reading materials and playback machines are distributed to a network of cooperating regional and subregional (local) libraries, where they are circulated to eligible borrowers and returned to libraries by postage-free mail.

A program audit was completed during fiscal 1994, and it concluded that "the program and functions of the National Library Service for the Blind and Physically Handicapped (NLS) are being managed effectively" and "that the patrons were satisfied with the services provided." A major recommendation of the audit—changing the format of the magazine program from flexible disks to cassettes—is part of NLS's machine budget strategy for fiscal 1996. This project will conserve limited resources. NLS will use funds formerly applied to maintenance of record players to the increased requirement for cassette

machines and replacement program for such machines. A price level increase of $373,000 is required to supplement available no-year funds.

New Storage and Distribution System—The Library is requesting $381,000 for a centralized braille book storage and distribution system. A new system for the storage and distribution of braille books would improve patron services and lower costs for network libraries in participating states.

Over the past five years, a series of comprehensive, logically sequenced contracts has studied the costs of the current methods of delivering braille books to patrons; current problems; alternative service delivery methods; and the requirements for operating the best of the alternatives. This investigation concluded that centralizing the national braille collection in two separate but interrelated facilities is the optimal alternative for solving the service and cost problems now being experienced by network libraries.

Reauthorization of Programs

The Library is seeking reauthorization of two programs, the American Folklife Center (AFC) and the National Film Preservation Board (NFPB). The Library is seeking a two-year authorization of its proven AFC program with no growing workload increases. For the NFPB, the Library is seeking a 10-year authorization at the current budget level, $250,000.

The NFPB reauthorization legislation also seeks new authority for the establishment of a National Film Preservation Foundation to encourage contributions from the private sector for film preservation. The NFPB reauthorization is based upon a comprehensive study, *Redefining Film Preservation: A National Plan*, that was released in August 1994. This study was mandated by the National Film Preservation Act of 1992 and presents recommendations through the congressionally created National Film Preservation Board to the Librarian of Congress. The milestone study integrates agreements by five working groups of archivists, educators, filmmakers, industry executives and other participants in an earlier fact-finding study with a comprehensive national preservation policy that will be supported by this foundation.

Thanks to the foresight and continuing support of Congress, the Library of Congress has become the nation's prime resource in the emerging new Age of Information, with its 107 million items, including films, maps, manuscripts, photographs, books and periodicals. The Library's ability to acquire, organize, preserve and make increasingly accessible its unique resources is of critical importance to our knowledge-based democracy and to memory-based policymaking in the legislative process.

Rep. Charles Taylor (R-N.C.), a member of the House Appropriations Subcommittee on the Legislative Branch, applauded the effort to make Library holdings available to schools and libraries nationwide.

Private Funding—The Library is making a maximum effort to procure added private funding in order to share Congress's library more fully with the American people. The Library's successful development program has increased the amount of annual gifts from $221,000 when I took office in 1987 to more than $8 million during fiscal 1994; and from 1987 to present, the size of the trust fund has increased from $11.5 million to over $32 million. Gift and trust funds support special initiatives like exhibits, publications and electronic outreach that help share the Library's resources with the nation. This development program has succeeded because donors understand that they are building upon, not replacing, the basic appropriations provided by Congress. Without these core appropriations, the Library would not be able to sustain its successful fund-raising efforts or to launch its forthcoming cooperative projects with the private sector to digitize key collections.

By funding the Library's fiscal 1996 budget request, core appropriations would be protected from inflation and other mandatory cost increases, and we would be able to continue to raise the added private-sector funds needed to expand electronic access to the collections all over the nation.

For fiscal 1996, we submit a budget request that will enable us to continue to make the distinctive major contributions that only this Library can make to Congress and the American people.

Budget-Cutting—We recognize that this budget request may not seem responsive to the understandable recent emphasis on additional budget-cutting in the new Congress. But the Library of Congress is a unique institution in the world and certainly within the legislative branch. It has irreducibly fixed annual costs in sustaining and preserving and making accessible its unparalleled universal collection, which is nothing less than the nation's strategic reserve of knowledge for the Information Age.

The Library has, at the same time, an almost infinite range of potential future uses as our economy becomes increasingly dependent on information. We have exhaustively studied our operation for possible added savings during the last three years but simply do not find any major cuts that can be made rapidly. We expect to effect significant further economies over time in cataloging as a result of our pioneering reforms in that area; we could get greater efficiency in our workforce if our human resources were less highly regulated and freer to move into new and temporary assignments

with the speed and flexibility that the new electronic environment demands.

But the very profusion of knowledge and information in the world and of new formats and media of communication will require a skilled group of "knowledge navigators" and little, if any, diminution in the overall size of the Library staff.

We have effected a number of cutbacks, efficiencies and privatizations in the last three years and are working on a comprehensive plan for more. The resulting proposals will be incorporated into next year's budget proposal for 1997; but it does not appear likely that they will provide very large-scale monetary savings from the legislative branch appropriations. The only ways that such major savings could be made are by fundamentally changing the nature of the Library (i.e., significantly reducing the size and nature either of the collections or its services) or else by extruding some activities that the Library currently conducts from the legislative to the executive branch.

I would be prepared to discuss several such possibilities if the committee attaches great importance to removing some of the Library's overall budget from the legislative branch appropriations. However, the Copyright Office, which has sometimes been mentioned in this connection, should not be separated from the Library. When the deposit and registration functions of the copyright law were separated for 80 years beginning in 1790, very little material was accumulated, let alone transferred to the Library. Only when the copyright system was centralized in the Library of Congress after 1870 did the Library begin to amass a comprehensive national collection.

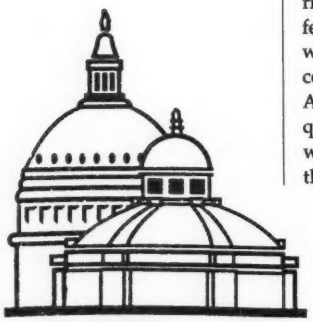
Separation of these functions simply did not work in the past, and it will not work now. The Library's unique Americana collections and its evolution since 1870 as the world reference library of last resort and the definitive record of American creativity continue to depend on the location of the Copyright Office within the Library.

The annual copyright deposits, consisting of books, newspapers, magazines, newsletters, CD-ROMs, music, drama, maps, prints and photographs, manuscripts, sound recordings, computer programs, television programs and motion pictures, which are now acquired free by the Library, have been valued at $15.7 million.

It is difficult to estimate what the cost would be to the Library if the copyright registration function were transferred. The economics are such that there would be significant and immediate new costs even beyond the purchase price. A great deal of staff time would be required to identify newly published works, select them, order and pay for them and also to administer the compliance provisions of the copyright law.

A study done by a member of the Library's private-sector Advisory Committee on Copyright Registration and Deposit, which I formed when proposed copyright reform legislation was introduced in the 103rd Congress, estimated that it could require as much as an additional $34 million per year to maintain the Library's collections at the same level. This figure was based on the purchase price of the material and the additional staff and operational costs. But even if our budget were increased and authorization given to hire more staff, invaluable unpublished materials, which are unique to the Library, could not be purchased. Many valuable unpublished items would not ever be identified, and this important dimension of the Library's holdings would simply vanish. These additional, incalculable losses would significantly diminish the Americana collections of the Library and the capacity of future generations comprehensively to assess the full record of American creativity.

Finally, it is important to realize that increased electronic activity is not a dispensable add-on at the Library but a necessary accommodation to the way knowledge and information are already conveyed and will be increasingly in the future. Deciding not to fund the relatively small added amount in appropriations to support the Library's electronic outreach would put in jeopardy a massive forthcoming expansion of services to the nation that will be largely funded by the private sector. The emerging National Digital Library will be a true "Library for



CRS Info Pack

Congressional Research Service • The Library of Congress

One of the products CRS provides Congress

all Americans," delivering back into every congressional district a large part of what Congress has accumulated over the years here in Washington.

Future generations will not forgive us if we fail to seize this opportunity to make accessible the Library's unique and useful materials at precisely the moment when its technological capabilities to expand services are enjoying such enthusiastic support.

I will be happy to answer your questions.

Following is testimony of CRS Director Daniel Mulhollan:

Mr. Chairman and members of the subcommittee:

This committee has signaled its intent to determine if Congress needs all of the activities currently in the legislative branch and to establish appropriate funding for those that are essential. As you review the Congressional Research Service you might begin by asking whether you would create CRS today if it did not already exist.

Congress's need for nonpartisan, expert and timely information and analysis, responsive to the legislative process, has not diminished since 1914, when Congress created us, in keeping with Sen. Robert LaFollette's proposition that by doing so "Congress has taken an important and necessary step toward rendering the business of lawmaking more efficient, more exact, economically sound and scientific."

Nor has Congress's need for information and analysis decreased since 1946, when the Legislative Reference Service was established as a separate department of the Library of Congress, much less since 1970, when it was redefined as the Congressional Research Service.

If you were to create an organization to meet these needs in 1995 you would want to create a cost-effective shared resource, available to every member regardless of seniority, party or position, and to every committee. The House Committee on Rules Report on the Legislative Reorganization Act of 1970 emphasized the importance of having such a nonpartisan resource accessible to all members when it wrote that a shared staff would:

"Insure the equal availability of information to both Houses of Congress; insulate the analytical phase of program review and policy analysis from political biases and therefore produce a more credible and objective product and more easily develop common frames of reference and analytical techniques that would make such analyses more useful and meaningful to all committees."

"We were created to supply Congress with the information necessary to make sound legislative judgments and to fulfill the representational responsibilities that you all share as members."
—Daniel Mulhollan

The Rules Committee went on to stress the efficiency of such a shared research staff. Finally, the pooling principle underlying supplementary staffs makes them inherently more economical and efficient than dispersed staffs, for they can more easily reallocate resources as changing conditions and congressional needs warrant.

In other words, I am confident you would create the Congressional Research Service much as it has evolved today.

Mr. Chairman, through my testimony and our ongoing dialogue, I hope to convey three ideas:

First, Congress's need for analysis and information from a nonpartisan shared staff, critical to your lawmaking, oversight and representative roles, has not diminished.

Second, the Congressional Research Service has a proven track record of providing research and analysis and has demonstrated a consistent ability to evolve and adapt to the unique and changing congressional environment. One measure of our effectiveness is the fact that members and congressional staff in both bodies and on both sides of the aisle have developed ongoing trust relationships with CRS staff, and rely on us for a broad range of assistance year after year.

Third, mindful of our responsibility to fulfill our mission in the most cost-effective way, CRS has continuously examined its work processes, products and services to develop more efficient ways to serve Congress.

Congress's Need for Independent and Authoritative Analysis and Information. In order to preserve its independence as the first branch of government and to effectively assert its powers as the body charged by the Constitution with the responsibility for making law, Congress must have independent, objective sources of expertise and information. The Supreme Court, in upholding congressional powers in 1927, has said that a "legislative body cannot legislate wisely or effectively in the absence of information respecting the conditions which the legislation is intended to affect or change" [*McGrain v. Daugherty*, 273 U.S. 135, 175 (1927)].

And just as Congress requires this broad range of information in order to exercise responsibly its roles in establishing national policy, performing its legislative functions and representing the citizenry, so too it needs to ensure that this information takes into account the multiplicity of individual, group and institutional interests.

Congress has long recognized its need for unbiased and independent analysis of complex public policy issues. In 1966 a Joint Committee on the Organization of Congress wrote: "Sound decision-making is rooted in the availability of accurate information and expert analysis. Each succeeding session confronts us with an increased number of complex program and policy decisions. As our predecessor Joint Committee wisely noted in 1946, 'These problems are far too complex and too numerous to rely on self-help.' Congress must, therefore, maintain a research capability that will keep pace with both the growing amount

of business and its multiplying intricacies."

Background. The Legislative Reorganization Act of 1946 took a fundamental step in providing Congress with the research resources that would produce unbiased and objective analyses of complex questions. In that act, Congress provided a firm statutory base for the Legislative Reference Service and expanded its staff. The 1946 Act endorsed the principles that (a) research can be most effectively supplied by a pool of independent experts and (b) that Congress should have direct access to its own separate research agency.

During the past 20 years, the Legislative Reference Service has developed into one of the principal research and reference arms of the legislative branch."

CRS must respond to changes in the legislative environment or we would fail in our statutory mission. CRS continually adapts its methods to the changing ways and pace of Congress, even while it seeks to improve the quality, production and delivery of its products and services. This assures that CRS is effective in providing the support you need and that we are efficient in doing so.

Effectiveness

The Congressional Research Service has a number of characteristics that, in combination, distinguish it from all other sources of analysis and information available to Congress and ensure that CRS is effective in its mission of contributing to an informed national legislature.

CRS serves all members without regard to party, seniority or committee assignment and assists all committees regardless of jurisdiction. This accessibility fulfills Congress's intent that CRS serve as a shared pool of expertise available to all members as they discharge their responsibilities as legislators and as representatives.

CRS is a product of and is responsive to the legislative environment. Because Congress is concerned with a broad range of subjects, CRS maintains coverage in all public policy areas. Because legislative issues are complex, at times subject to multiple committee jurisdictions, CRS places great emphasis on making its analyses interdisciplinary, integrating the work of political and social scientists, foreign policy experts, physical scientists, legal and economic analysts, information specialists and others into cohesive and comprehensive analyses of major issues.

Because congressional action on specific issues ranges from annual to cyclical to episodic, CRS organizes and manages itself to assure that staff are flexible and capable of working on many issues at one time so they can move in concert with shifting congressional needs.

"Congress needs a strong research capability to maintain coequal status in our system of checks and balances. Accordingly, CRS provides assistance on both substance and procedure at every stage of legislative activity."
—Daniel Mulhollan

Because issues have their own history, CRS tracks issues, prepares for future legislative action and provides institutional memory on matters that were considered years before.

And because the work of Congress is demanding and time-sensitive, CRS acts quickly. CRS delivers analysis, information and data through consultations and in written products in time to be useful, within a week, a day, an hour, often within minutes.

Congress has no shortage of sources for information and analysis. Congressional staffs, party policy committees, hearing witnesses, executive branch agencies, state and local officials, universities, public policy think tanks, special interest groups, lobbyists and private consultants all provide information and ideas. The Congressional Research Service operates within this varied congressional information network but is distinct from other sources of analysis and information because of a unique combination of functions: CRS provides research and analytical support on almost every subject matter of interest to all members and all committees; CRS does so in an objective and nonpartisan manner; CRS maintains a confidential relationship; CRS works only for Congress; CRS anticipates matters that will become subjects for legislative debate; and CRS provides products and services that are responsive in the unique legislative environment.

Of all the information resources available to Congress, CRS is the one that regularly, objectively and comprehensively reviews, evaluates and places in context the diverse pieces of information, perspectives and entreaties directed to Congress.

Efficiency

Not only has CRS adapted to the changing processes and pace of Congress, it has also managed its resources in a fiscally responsible manner by streamlining operations whenever possible. As we have downsized in recent years, we have modified services, and we have tried to do so without compromising support for Congress in its legislative and oversight functions. We are able to do this because CRS has developed an institutional culture that supports efficiency in four significant ways:

First, CRS is organized to take maximum advantage of its diverse assets. Efficiencies as well as synergies flow from the formal and informal daily interaction between subject specialists, information professionals and technology experts. The interaction of these Service components is the source of CRS's greatest strengths and efficiencies. CRS's organizational structure is designed to facilitate communication, teamwork and shared resources.

Management initiatives have focused over the past year on strengthening the long-standing practice of reassigning staff within divisions and increasing details and reassignments from one division or office to another in order to meet critical needs. CRS has developed a

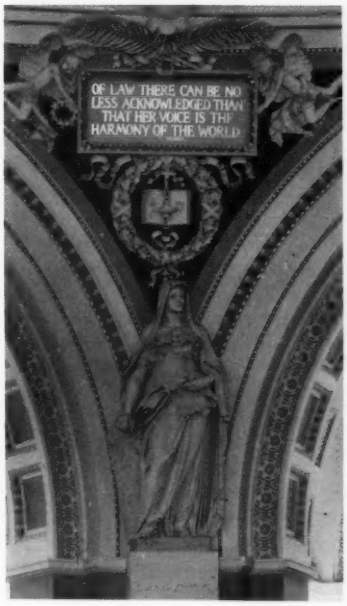
range of products and services tailored to meet the current and varying needs of members and staff. From tailored confidential memoranda to reports prepared for general distribution, from fact sheets to complex integrated analyses, from individual personal consultations to seminars, CRS can provide the appropriate service to match each requester's issue familiarity, time constraints and intended use.

Second, CRS has a long history of using innovative technology to improve internal operations and enhance services to Congress. With the Library's assistance we have just completed a high-priority effort to network all CRS staff; this is already improving internal communication, and sets the stage for more efficiencies in the future as we develop the means to share and access research materials more easily within CRS and with Congress.

During the last year, for example we have (1) implemented fax-on-demand to provide Congress with rapid direct access to short CRS Reports, Fact Sheets and other short products; (2) began a pilot project to make all CRS written products available to congressional offices and committees through CAPNET; (3) continued development of the optical disk-based document retrieval system, which enables us to deliver public policy literature quickly and efficiently; (4) are working closely with the Library to develop a better retrieval system for the CRS Bill Digest and tracking system by building upon the cutting-edge THOMAS prototype; and (5) installed a new telephone system in the Inquiry Section to route congressional callers more efficiently and effectively, significantly reducing the frequency and time that callers must be on hold or experience busy signals.

In its reference activities, CRS makes extensive use of commercial databases to provide access to information not otherwise available or not available quickly. Through our fiscal 1996 request we are seeking to make these important and time-saving research tools available to more of our research staff.

Third, CRS regularly evaluates internal operations. This year we completed consolidation of three product distribution activities into a unified Product Distribution Center. This organizational and physical integration improved the speed and quality of responses to requests for CRS products and simultaneously reduced from 24 to 17 the number of library technicians required to carry out this function. CRS currently is considering whether contracting messenger activities would decrease costs, and a Request for Proposal (RFP) will soon be issued to complete this evaluation.



Statue of *Law* in the Main Reading Room; much of Congress's lawmaking activity relies on the services of the Library.

Internal Reviews. We also regularly review our products and services. For example, we evaluated the continuing efficacy of our Public Policy Literature database (PPLT), a part of the Library's SCORPIO system that is heavily used by congressional clients and CRS staff. Our time and motion studies on 10 major policy issues examined product quality, timeliness, range of sources, ease of use and full-text availability. We concluded that no other single source can match PPLT in providing timely, essential, policy-oriented information to Congress.

Fourth, CRS gains important efficiencies through its policies and procedures for managing the demand for its services. By necessity we have become skilled at matching our limited resources to the tasks demanded.

Mr. Chairman, it has been suggested by some that we have trouble saying "no." Let me assure you that CRS does enumerate categories of work that it simply cannot undertake, and we routinely decline requests that our oversight committees have deemed inappropriate. CRS does not accept requests for such activities as speech writing, bill drafting, casework, information about other members' voting records, scholastic or personal research or clerical services.

We restrict access by interns and volunteers and direct them to CRS reference centers and our on-line data bases to conduct their own research. These and other limitations, developed in consultation with our oversight committees, are important in allowing us to adhere to our core mission, to avoid inappropriate work and to avoid duplication with other agencies.

While in these instances we say "no," more often we say "how?" How can we best serve you within the time and resources available to us? The discussion of "how" occurs throughout each work day on virtually every request of substance that comes to us.

Negotiations ensure that the first response is the right response. Initial discussions with requesters are directed at providing the appropriate service to meet the client's needs within our available resources. Negotiations also lead to efficiencies by identifying occasions when existing CRS products are adequate, when more formal consultations are needed to determine the feasibility and usefulness of studies requiring a significant use of CRS resources or when studies should be prepared to meet the needs of a larger congressional audience rather than an individual requester. These negotiations are conducted by

subject specialists who can take into account the wide range of circumstances and options that surround each request, as well as the competing demands on their time.

As we enhance efficiencies within CRS, we simultaneously inform congressional staff as to how they can most effectively and economically use our services. In addition to the discussions held every day between CRS and your staffs, we visit the offices of new members, hold regularly scheduled orientation sessions for new staff and communicate with every congressional office on a regular basis to announce new general distribution products and other services such as seminars on policy issues and congressional procedures.

Proposed CRS Voucher System. Mr. Chairman, I am aware of interest in exploring means for rationing access to the support agencies. I am concerned that the use of allocation methods, such as "vouchers" or "billing accounts," to control congressional demand for CRS services would impose significant administrative costs as well as potential rigidities and inefficiencies on the high volume of support services we provide to Congress on a daily basis.

Specifically, I am concerned that fixing the amount of resources to be held available for particular voucherable activities such as report writing would limit flexibility in the use of resources for other support needs of Congress. Vouchering would also create planning problems in apportioning amounts between chambers and parties and between and among members and committees. Uneven redemption of vouchers over time might also create "peak-load" problems if some relatively uniform level of service were expected for each voucher.

While we are willing to explore suggested voucher concepts or other allocation programs, I am submitting for the record a study we provided to our oversight committees in response to the recommendations on this subject by the Joint Committee on the Organization of Congress.

I believe that CRS currently has the flexibility it needs to deal responsibly and equitably with both the supply and demand sides of its services. In particular, we have in place policies and procedures for negotiating requests that allow us to manage demand effectively. This flexibility flows from the CRS's organizational structure, its day-to-day working relationship with mmbers and staff, its innovative use of technologies, and the array of response mechanisms that it has developed. CRS has always tailored both the extent and form of its responses to best meet congressional needs.

Fiscal 1996 Request

Mr. Chairman, I know the pressures on this committee to reduce the size of the legislative budget. While the loss of 58 positions over the last three years diminishes CRS's capacity to maintain the breadth and depth of issue coverage and to provide timely and responsive service, we have reduced services and streamlined operations in order to fulfill our mission as a downsized agency. I am not asking to restore those positions. After considerable deliberation, however, I am asking for a modest increase to help us avoid further diminution of CRS's ability to meet your highest-priority needs. This budget request assumes no expansion of the CRS mission.

Our budget request falls into two areas: (1) funds to cover the increased cost of our current staff and nonpersonals, and (2) funds to make our staff more effective and efficient and to fill 11 vacancies.

More than 76 percent of the requested fiscal 1996 increase covers elements necessary to maintain a current-level budget: mandated increases in compensation ($4.1 million) and price-level increases ($345,900). These increases are needed to avoid further losses from CRS's pool of experts.

We are requesting an increase of $552,508 to fill 11 vacancies. These represent the highest-priority needs. Three years of staffing erosion, coupled with projected retirements over the next 10 years, make it urgent that we bring in entry-level staff. It takes five to 10 years to develop the breadth and depth of subject expertise resident in our current staff, and it is important that we assure our institutional capacity to serve Congress in the future.

Funding is also requested to make our staff more efficient and effective. CRS staff have always covered a range of issues, but to compensate for the downsizing we have already experienced, we have had to shift people to wholly new subject areas. To make them effective as quickly as possible, we need to provide training and access to appropriate research materials.

Our request for $87,000 in additional training funds and $492,000 in database access represents a sound investment that will make our excellent staff more efficient. To supplement staff in the highest-priority areas, we have made modest use of contract assistance. We are requesting restoration of $250,000 cut from the fiscal 1994 contracts base to provide access to outside expertise when urgently needed.

Conclusion

Mr. Chairman, I began by suggesting to you that if you were to create an organization to meet Congress's information needs today, you would create the Congressional Research Service as we exist now. We were created to supply Congress with the information necessary to make sound legislative judgments and to fulfill the representational responsibilities that you all share as members. We continue to do that today, but we have adapted as you have adapted to a changing set of issues that confront the nation, a changing electorate, changing information technologies and a changing world.

As you know only too well, the complexity of these issues and the pace at which Congress must deal with them are truly daunting. More than ever, you need a readily accessible, pooled resource—one that is expert, nonpartisan, accurate, timely and confidential. CRS is uniquely positioned to meet that need.

I am fully aware of and sensitive to the difficult choices that this committee and Congress face in the weeks and months

ahead. Let me assure you that CRS is committed now, as it always has been, to ensuring that every dollar you invest with us repays you manyfold in the form of services that enhance your capacity to legislate, to conduct oversight and to represent your districts and states. We have limited our request to funds essential to sustain our capacity to serve you.

Mr. Chairman, the duties of the legislator have traditionally been discussed in three contexts. The principle of autonomy holds that representatives deliberate and decide in an environment accessible by all viewpoints. As a nonpartisan institution providing balanced objective analysis to all members of Congress, CRS helps ensure that Congress has the opportunity to consider all perspectives.

The principle of accountability holds that representatives have an obligation to provide constituents with the information and understanding they require to exercise democratic citizenship. CRS provides you with many of the tools you need to translate and apply complex disciplines in the legislative arena and to explain your policy decisions to your colleagues as well as to your constituents. Further, the principle of responsibility holds that the representative has an obligation to contribute to the effective functioning of Congress as a whole. Congress needs a strong research capability to maintain coequal status in our system of checks and balances. Accordingly, CRS provides assistance on both substance and procedure at every stage of legislative activity.

CRS efficiently and cost effectively contributes to your ability to meet these three fundamental obligations. I believe that maintenance of CRS in its present form as your institutional source for objective research and analysis represents a sound investment.

The following is testimony of Register of Copyrights Marybeth Peters:

Mr. Chairman and members of the committee, I appreciate the opportunity to be here today.

Recently I was appointed as Register of Copyrights; however, I am not new to the Copyright Office or the Library of Congress. I have been associated with the Copyright Office for almost 29 years. For more than a decade the management and staff of the Copyright Office have worked together to raise individual productivity. We are doing more with less. In 1980 our staff consisted of 561 employees, and we registered 465,000 claims to copyright. Today we have 470 employees and we registered more than 530,000 claims. Moreover, in these years the number and complexity of the documents we record have grown substantially; so has the number of inquiries from the public, which come to us in writing, by the telephone or in person.

"The Copyright Office system will be available to all. Thus, it will be available to authors from every state and will allow such authors not only to be part of a national system of rights management as soon as their works are created, but to have their works available for inclusion in the Library of Congress online system."

—Marybeth Peters

Thus, for the most part we have stayed ahead of the continuously increasing workload without additional staff. Computer technology and a staff of dedicated automation specialists have played a key role in these accomplishments.

However, times have changed. Everywhere you hear references to the National Information Infrastructure, (the NII), the Global Information Infrastructure, (the GII) and the Information Superhighway. Content is king in the networked environment, and much of the content consists of copyrighted works. Domestically and internationally the copyright industries are at the forefront of our economy and are one of our leading exports. These industries, which include motion pictures and television programs, cable, records, music, computer software, photographs, databases, traditional and electronic publishing and multimedia CD-ROMs, accounted for 5.6 percent of the U.S. gross domestic product in 1991, employed new workers at three times the rate of the economy as a whole from 1987 to 1991 and contributed an estimated $36.2 billion in foreign revenues in 1991. The protection of American creativity through copyright protection is a driving force behind our continued prosperity and progress.

Electronic Dissemination of Copyrighted Works. A major challenge for the future will be the protection of American works. Copyright law is the vehicle. Moreover, we must be sure that methods and techniques are in place to ensure the integrity of the data as well as to monitor uses of copyrighted works and provide a means for collecting and compensating copyright owners. It is clear that unless copyright owners are assured that their rights are protected, they will not be willing to license their product for electronic use, without which the NII will be crippled and will operate well below its full potential.

I can't stress too strongly the vital role that the Copyright Office and the Library of Congress have to play in all this. The collections of the Library, which are largely based on copyright deposits, will continue to make the Library a key resource in the exchange of information, entertainment, and knowledge. Complete, accurate, reliable and objective records of millions of copyrights showing their ownership, legal status and licensing information are essential to make all this work. The years of experience and the practical and legal expertise the Office has to offer to Congress, to our trade representatives and to the ever-expanding copyright community will more and more be needed as this country addresses the challenges of this revolution in communications.

It is important to realize that the entire range of beneficiaries of copyright protection, creators, producers, copyright owners and copyright industries, is supporting the Copyright Office through registration fees, and the Library through deposits of increasingly expensive and valuable material. There is a symbiosis here: federal copyright protection is essential to these interests, but

they in turn support the creation and maintenance of the Library's unique collections and the Copyright Office's unique records.

Copyright Office in the Library. On Feb. 2, at the joint hearing of the legislative branch appropriations subcommittees, the placement of the Copyright Office in the Library was questioned. I, for one, believe this placement is appropriate. The first copyright law, enacted in 1790, gave the federal district courts the registration function; an author had to file a copy of the title page of his book in the clerk's office before the work was published. After publication, one copy of the work was to be delivered to the U.S. secretary of state. Later the law was changed to have the official copy delivered to the Patent Office; however, under the acts of 1846 and 1865, one copy of all published works was to be deposited with the Library. Most works were not deposited, and enforcing the deposit provisions of the law was time consuming and difficult because the records of the 44 district courts had to be consulted.

The Librarian of Congress with the support of the Patent Office recommended that the registration and deposit functions be centralized in the Library of Congress; Congress did this in 1870. As a result, the Library became America's greatest library with collections that reflected the entire breadth of American history and life.

The placement of the copyright system in the Library of Congress was not by chance, and it has yielded tremendous benefits. Today, as in 1870, the Copyright Office and the Library uniquely support each other's mission.

Rather than separating the Copyright Office from the Library and severing its ties, I believe the symbiosis should be strengthened. We are presently doing this. For example, we are creating and implementing a Copyright Office Electronic Copyright Management System (ECMS). The Advisory Committee on the NII has emphasized the need to develop rights management systems. The Copyright Office system will be available to all. Thus, it will be available to authors from every state and will allow such authors not only to be part of a national system of rights management as soon as their works are created, but to have their works available for inclusion in the Library of Congress on-line system.

I believe this public system available to all authors and accessible to all users will be a critical component of the copyright system of the 21st century; it also will benefit the Library's National Digital Library efforts.

The development of a testbed for the ECMS system is the result of cooperation of the Copyright Office, the Library of Congress and the Corporation for National Research Initiatives (CNRI). Funding has come from the Library of Congress and the Advanced Research Projects Agency. The goal is to demonstrate and test ideas for a national centralized system that will allow electronic filing over the Internet of applications, deposits and fees for copyright registration as well as documents of transfers of ownership including licensing information, such as terms and conditions of use. A major feature of the future system will be the storage and retrieval of copyrighted works from secure repositories for electronic dissemination in accordance with terms and conditions established by copyright owners. Our objective is an easily accessible centralized system which will serve the public as well as authors and other copyright owners.

In this budget, we are requesting $1,477,890 to continue to build this system. This money is an investment in the future. It is critical to the protection of content on the Information Superhighway. Moreover, as we receive more and more applications, deposits and documents electronically, we will see savings in the processing of such materials and eventually in certain areas we will be able to reduce the number of employees required to do the job.

General Agreement on Tariffs and Trade (GATT). Let me now turn to the GATT Uruguay Round Agreements Act, which was signed by the President on Dec. 8, 1994. The implementation of the Uruguay Round Agreement on Trade-Related Aspects of Intellectual Property, known as the TRIPS agreement, resulted in three changes in the copyright law; however, one change has a major impact on the operations and workload of the Copyright Office. This change automatically restores copyright protection in a vast amount of foreign works that were previously in the public domain in the United States for a variety of reasons, e.g., publication without the notice of copyright required by our law, failure to renew the U.S. copyright and the absence of copyright relations between the United States and a foreign country.

Works from Berne Convention and World Trade Organization countries that are currently protected in those countries will have their copyrights restored on Jan. 1, 1996; they will receive the copyright term that they would have otherwise enjoyed had they not entered the public domain in the United States. The number of works covered by the restoration provisions is staggering. For example, it covers all works by Chinese authors published in China before Oct. 15, 1992, as well as vast numbers of works of fine art that were published without the notice of copyright. The office has already been contacted by an organization that represents the works of Pablo Picasso (who created more than 100,000 works in various media), Georges Braque, Henri Matisse, Joan Miró, Marc Chagall and Wassily Kandinsky. We have also been contacted by lawyers who represent publishers and the estates of well-known playwrights and novelists.

Although protection is automatic, there are complicated provisions covering a prior user of a restored work, defined as a "reliance party," who is insulated from liability for infringement in certain circumstances and for a certain period of time after restoration. The ability of the owner of a restored copyright to enforce rights against reliance parties turns on his filing a notice of his intent to do so with the Copyright Office or alternatively serving a notice directly on the reliance party. Notices filed with the Copyright Office must be filed within two years of the date of restoration of the copyright in the work. A notice may be

served at any time on a particular reliance party against whom the rights are to be enforced.

With respect to notices of intent to enforce a restored copyright that are filed with the Copyright Office, we are required to publish in the *Federal Register* a list identifying the restored works for whom such notices have been filed with the names of owners of the restored rights. Reliance parties are granted a one-year grace period to sell off existing stock of the restored work; this period begins on the date the information is published in the *Federal Register*. Thus, timely submission of the information to the *Federal Register* is critical.

The Copyright Office is required to have in place by Oct. 1, 1995, final regulations governing the filing of notices of intent to enforce a copyright. These regulations must cover the content, fee and procedures. By that date we must also have in place final regulations and practices for registering copyright claims in restored works.

Work on implementation is proceeding. We have scheduled a public meeting for March 20 to assist in the identification and exploration of all issues. Office committees are hard at work determining who will examine the notices of intent, examining methods of making these notices available to the public as quickly as possible and exploring the possibility of purchasing scanning equipment to assist in the task of recording documents with many titles or contracting out the data entry of the titles. The registration issues are extremely complicated because we may have to look to foreign law to identify the author or the rights holder and the author of the restored work. A new application form with appropriate instructions will need to be developed.

We need to mount a major international outreach effort to notify the embassies, the copyright offices and the rights organizations of all Berne and World Trade Organization countries. Informational materials must be prepared.

We will be proposing regulations by publishing them in the *Federal Register* by June 30, 1995. The proposed regulations will be sent to foreign governments and foreign rights organizations so that they may file written comments. Finally, we will have to embark upon a massive training effort for our staff and the public.

I believe the Copyright Office will receive an extremely large number of notices of intent to enforce restored copyrights because it is far easier to file a single notice with the Copyright Office, which will serve as constructive notice to all reliance parties, rather than notifying each reliance party. The number of registrations that we can expect is less clear; it seems possible, however, that a significant number of applications will be filed.

The law provides a two-year filing period for notices of intent to enforce a restored copyright. We anticipate that we will be inundated with notices beginning on Jan. 1, 1996, with a continuous stream of such documents for the entire period. It is also likely that a very large number will be filed at the end of the period, that is, in December 1998. We are implementing the new law with our existing staff, which is already sorely stretched. However, as the Copyright Office gets a better handle on the size of the workload and the scope of our duties and responsibilities, we will be coming to you to amend our budget request to authorize additional use of receipts and possibly to increase the size of our staff.

Thank you for hearing me, and I welcome your questions and will be glad to answer them now or more fully in writing.

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